Serial No.: 10/749,758

Attorney Docket No.: 520219-301

**Preliminary Amendment** 

## Remarks

New claims 40-43 have been added for consideration. Review of the application, including new claims 40-43 is requested.

New claims 40-43 have been added to more particularly define the invention.

New claim 40 depends from claim 1 and specifies that the free end of claim 1 is generally spaced apart from the attachment portion of claim 1 "along a length of said adjusting strip." This amendment is added to clarify the meaning of the "spaced apart" limitation of claim 1 given that the free end and the attachment portion may be able to be releasably coupled together.

New claim 41 specifies that the attachment portion is located on one of the front or rear portions. Claim 41 also specifies that the free end is configured to be releasably attachable to the one of the front or rear portions of the outer shell (or to the attachment portion). For example, Fig. 1 illustrates attachment portions 60 located on the front of the garment. Fig. 3 illustrates free ends 58 releasably attachment to the front of the garment/attachment portions 60.

New claim 42 specifies that the adjusting strip is spaced away from a crotch of the garment when the adjusting strip is formed in a generally closed loop (as shown in Fig. 3).

New claim 43 specifies that the adjusting strip is coupled to the outer shell at a base portion (see base portion 56 of Fig. 1). Claim 43 specifies that the adjusting strip has a length (extending in direction A of Fig. 1) that is less than the distance between the base portion 56 and a crotch of the garment.

Thus it is submitted that the new claims 40-43 do not add any new matter on the basis that support for the claims can be found in the specification text and drawings.

Prompt and favorable review is requested.

Respectfully submitted,

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